

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES PARKER	:	CIVIL ACTION
	:	
v.	:	No. 12-5293
	:	
LOUIS GIORLA	:	
<i>Prison Commissioner, et al.</i>	:	

ORDER

AND NOW, this 3rd day of December, 2012, upon careful and independent consideration of Petitioner James Parker's pro se Petition Under 28 U.S.C. § 2241 for Writ of Habeas Corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, to which no objections have been filed,¹ it is ORDERED:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus is DENIED without prejudice for failure to exhaust available state remedies;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of the Court shall mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.

¹ The Report and Recommendation was sent to all parties of record on November 5, 2012. Pursuant to Local Civil Rule 72.1 IV(b), a party may object to a magistrate judge's report "within fourteen (14) days after issuance of the magistrate judge's order." As of today's date, no objections have been filed.